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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,794	06/30/2003	Jesse Pierce	JP 1	1299

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EXAMINER
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LAYNO, BENJAMIN

ART UNIT	PAPER NUMBER
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3712

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/611,794	<b>Applicant(s)</b> PIERCE, JESSE	
	<b>Examiner</b> Benjamin H. Layno	<b>Art Unit</b> 3712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baerlocker et al. in view of Mayerhoff.
3. The patent to Baerlocker discloses a slot machine comprising a slot machine cabinet inherently having a hollow space therein, a belly box (bottom portion) and a top box (top portion). The belly box has a plurality of mechanical reels 32, each reel having symbols. The reels are driven randomly to spin and stop, col. 4, lines 11-26. The slot machine cabinet further includes a payout meter 20 on the belly box. The top box has a rotator display backboard 34 to cover the top box hollow space, col. 3, lines 12-14. The rotator display backboard has indicia (e.g. "200", "boat", "400", "450", etc.). The top box further includes a pointer 36 that rotates and stops on an indicia 34. Thus, it is inherent that a rotator having a shaft supported in the top box behind the rotator display backboard rotates the pointer. Baerlocker's slot machine further includes a CPU 42 connected to the reels, to drive and stop the reels randomly. The CPU is also coupled to the pointer, thus it is inherently coupled to the rotator and shaft, column 4, lines 29-37. The CPU spins the pointer and the plurality of reels. The CPU stops the rotator from spinning after four of the reels have stopped to provide an anticipatory feature, col.

4, lines 11-26. Baerlocker discloses alternative embodiments of when the pointer stops rotating relative to when the reels stop rotating, col. 3, line 32 to col. 4, line 10. It would have been obvious to a person having ordinary skill in the art to have Baerlocker's pointer stop spinning after all the reels stop spinning in order to provide another anticipatory feature to Baerlocker's slot machine.

4. The patent to Mayeroff discloses a slot machine comprising a slot machine cabinet having a top box and a belly box. The top box has a rotator display backboard 40 and a **front glass** covering the backboard. A **door** on the cabinet encloses the belly box, see Fig. 1. In view of such teaching, it would have been obvious to incorporate a front glass to Baerlocker's top box in order to cover the backboard and pointer for security purposes and to prevent damage. Furthermore, it would have been obvious to provide a door to Baerlocker's belly glass in order to provide convenient access to the reels for servicing and maintenance.

5. In regard to claim 6, providing lamps inside Baerlocker's top box for backlighting the indicia in the top box during play is well known in the art and therefore obvious.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baerlocker et al. in view of Mayeroff as applied to claim 1 above, and further in view of Inoue.

The patent publication to Inoue teaches that it is well known in the slot machine art to drive each reel with a separate **stepper motor**, 51-56, Fig. 6, coupled to a CPU 40. Furthermore, Inoue includes a rotator 15 driven by a separate stepper motor 67 that is also coupled to the CPU. In view of such teaching, it would have been obvious to

drive each of Baerlocker's reels and pointer with separate stepper motors in order to conveniently control the random spinning and stopping of each reel and pointer.

7. Claim 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baerlocker et al. in view of Mayeroff and Inoue as applied to claim 4 above, and further in view of Gentles et al.

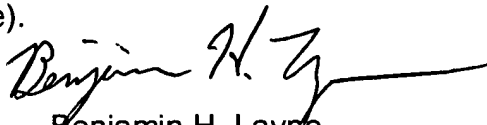
The patent publication to Gentles et al. teaches that it is known in the slot machine art to connect several peripheral devices of a slot machine to a CPU using an **extension harness**, page 1, lines 12-16 of paragraph [0013]. In view of such teaching, it would have been obvious to person having ordinary skill in the art to couple the stepper motors of Baerlocker to the CPU with extension harnesses for security purposes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin H. Layno whose telephone number is (703) 308-1815. The examiner can normally be reached on Monday-Friday, 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (703) 308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3712

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Benjamin H. Layno  
Primary Examiner  
Art Unit 3712

bhl